

REMARKS

Revocation of Power of Attorney

Applicant is enclosing herewith a Revocation of Power of Attorney and Appointment of New Attorney naming BRUCE H. TROXELL as attorney of record in this patent application. It is requested that all further correspondence regarding this matter be forwarded to TROXELL LAW OFFICE PLLC at the address listed on the enclosed form. A CHANGE OF ADDRESS FORM is also attached herewith.

Claim Rejections

Claims 1-3 are rejected under 35 U.S.C. § 102(b) as being anticipated by Van Scyoc et al. (U.S. 4,983,133).

Drawings

It is noted that no Patent Drawing Review (Form PTO-948) was received with the outstanding Office Action. Thus, Applicant must assume that the drawings are acceptable as filed.

New Claims

By this Amendment, Applicant has canceled claims 1-3 and has added new claims 4-6 to this application. It is believed that the new claims specifically set forth each element of Applicant's invention in full compliance with 35 U.S.C. § 112, and define subject matter that is patentably distinguishable over the cited prior art.

The new claims are directed toward a vented metal spring plate comprising: a metal spring plate (20) having an arch shaped structure and a circular periphery having to flat sections (22), wherein the two flat sections are located on opposing sides thereof.

Other embodiments of the present invention include: the metal spring plate includes a protrusion (23) located on a center of the metal spring plate and extending upwardly; and the metal spring plate includes a indentation (24) located on a center of the metal spring plate and extending downwardly.

The cited reference to Van Scyoc et al. discloses an electrical terminal with an annular section including beam portions (332) separated by slots (336), and a center hole through which a screw (150) is inserted.

Van Scyoc et al. do not teach a metal spring plate having an arch shaped structure and a circular periphery having to flat sections; the two flat sections are located on opposing sides thereof; the metal spring plate includes a protrusion located on a center of the metal spring plate and extending upwardly; nor do Van Scyoc et al. teach the metal spring plate includes a indentation located on a center of the metal spring plate and extending downwardly.

It is axiomatic in U.S. patent law that, in order for a reference to anticipate a claimed structure, it must clearly disclose each and every feature of the claimed structure. Applicant submits that it is abundantly clear, as discussed above, that Van Scyoc et al. do not disclose each and every feature of Applicant's new claims and, therefore, could not possibly anticipate these claims under 35 U.S.C. § 102. Absent a specific showing of these features, Van Scyoc et al. cannot be said to anticipate any of Applicant's new claims under 35 U.S.C. § 102.

It is further submitted that Van Scyoc et al. do not disclose, or suggest any modification of the specifically disclosed structures that would lead one having ordinary skill in the art to arrive at Applicant's claimed structure. Thus, it is not believed that Van Scyoc et al. render obvious any of Applicant's new claims under 35 U.S.C. § 103.

Application No. 10/683,708

Summary

In view of the foregoing amendments and remarks, Applicant submits that this application is now in condition for allowance and such action is respectfully requested. Should any points remain in issue, which the Examiner feels could best be resolved by either a personal or a telephone interview, it is urged that Applicant's local attorney be contacted at the exchange listed below.

Respectfully submitted,

Date: August 20, 2004

By:


Bruce H. Troxell
Reg. No. 26,592

TROXELL LAW OFFICE PLLC
5205 Leesburg Pike, Suite 1404
Falls Church, Virginia 22041
Telephone: 703 575-2711
Telefax: 703 575-2707